

House Amendment 8381

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1 1 Amend Senate File 2358, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <Section 1. Section 7E.5, subsection 1, paragraph
1 6 m, Code Supplement 2005, is amended to read as
1 7 follows:
1 8 m. The department of education, created in section
1 9 256.1, which has primary responsibility for
1 10 supervising public education at the elementary and
1 11 secondary levels and for supervising the community
1 12 colleges and the state board of regents.
1 13 Sec. 2. Section 7E.5, subsection 1, paragraph t,
1 14 Code Supplement 2005, is amended to read as follows:
1 15 t. In the area of higher education, an agency
1 16 headed by the state board of regents and including all
1 17 the institutions administered by the state board of
1 18 regents, which has primary responsibility for state
1 19 involvement in higher education and which is
1 20 established as part of the department of education.
1 21 Sec. 3. Section 15H.3, subsection 1, paragraph e,
1 22 Code Supplement 2005, is amended to read as follows:
1 23 e. ~~The executive secretary~~ A representative of the
1 24 state board of regents, or the executive secretary's
1 25 ~~designee designated by the director of the department~~
1 26 of education.
1 27 Sec. 4. Section 261.1, subsection 1, Code 2005, is
1 28 amended to read as follows:
1 29 1. A member of the state board of regents to be
1 30 named by the board, or the ~~secretary thereof~~ director
1 31 of the department of education, if so appointed by the
1 32 board, who shall serve for a four-year term or until
1 33 the expiration of the member's term of office. Such
1 34 member shall convene the organizational meeting of the
1 35 commission.
1 36 Sec. 5. Section 262.1, Code 2005, is amended to
1 37 read as follows:
1 38 262.1 MEMBERSHIP.
1 39 The state board of regents is established as part
1 40 of the department of education consists of nine
1 41 members, eight of whom shall be selected from the
1 42 state at large solely with regard to their
1 43 qualifications and fitness to discharge the duties of
1 44 the office. The ninth member shall be a student
1 45 enrolled on a full-time basis in good standing at
1 46 either the graduate or undergraduate level at one of
1 47 the institutions listed in section 262.7, subsection
1 48 1, 2, or 3, at the time of the member's appointment.
1 49 Not more than five members shall be of the same
1 50 political party.
2 1 Sec. 6. Section 262.7, subsection 1, Code 2005, is
2 2 amended to read as follows:
2 3 1. The state university of Iowa, including the
2 4 university of Iowa hospitals and clinics.
2 5 Sec. 7. Section 262.8, Code 2005, is amended to
2 6 read as follows:
2 7 262.8 MEETINGS.
2 8 The board shall meet four times a year. Special
2 9 meetings may be called by the board, by the president
2 10 of the board, or by the ~~secretary of the board~~
2 11 director of the department of education upon written
2 12 request of any five members thereof.
2 13 Sec. 8. Section 262.11, Code 2005, is amended to
2 14 read as follows:
2 15 262.11 RECORD == ACTS AFFECTING PROPERTY.
2 16 All acts of the board relating to the management,
2 17 purchase, disposition, or use of lands and other
2 18 property of said institutions shall be entered of
2 19 record, which shall show the members present, and how
2 20 each voted upon each proposition. The board may, in
2 21 its discretion, delegate to each university the
2 22 authority to approve leases.
2 23 Sec. 9. Section 262.34A, Code 2005, is amended to
2 24 read as follows:

2 25 262.34A BID REQUESTS AND TARGETED SMALL BUSINESS
2 26 PROCUREMENT.

2 27 1. The state board of regents shall request bids
2 28 and proposals for materials, products, supplies,
2 29 provisions, and other needed articles to be purchased
2 30 at public expense, from Iowa state industries as
2 31 defined in section 904.802, subsection 2, when the
2 32 articles are available in the requested quantity and
2 33 at comparable prices and quality.

2 34 2. Notwithstanding section 73.16, subsection 2,
2 35 the board may issue electronic bid notices for
2 36 distribution to the targeted small business internet
2 37 site through internet links to each of the regents
2 38 institutions.

2 39 3. Notwithstanding section 73.17, the board shall
2 40 notify the director of the department of economic
2 41 development of regents institutions' targeted small
2 42 business purchases on an annual basis.

2 43 Sec. 10. Section 262.58, Code 2005, is amended to
2 44 read as follows:

2 45 262.58 RATES AND TERMS OF BONDS OR NOTES.

2 46 Such bonds or notes may bear such date or dates,
2 47 may bear interest at such rate or rates, payable
2 48 semiannually, may mature at such time or times, may be
2 49 in such form, carry such registration privileges, may
2 50 be payable at such place or places, may be subject to
3 1 such terms of redemption prior to maturity with or
3 2 without premium, if so stated on the face thereof, and
3 3 may contain such terms and covenants all as may be
3 4 provided by the resolution of the board authorizing
3 5 the issuance of the bonds or notes. In addition to
3 6 the estimated cost of construction, the cost of the
3 7 project shall be deemed to include interest upon the
3 8 bonds or notes during construction and for six months
3 9 after the estimated completion date, the compensation
3 10 of a fiscal agent or adviser, and engineering,
3 11 administrative and legal expenses. Such bonds or
3 12 notes shall be executed by the president of the state
3 13 board of regents and attested by the ~~secretary thereof~~
3 14 the director of the department of education and the
3 15 coupons thereto attached shall be executed with the
3 16 original or facsimile signatures of said president and
3 17 secretary director. Any bonds or notes bearing the
3 18 signatures of officers in office on the date of the
3 19 signing thereof shall be valid and binding for all
3 20 purposes, notwithstanding that before delivery thereof
3 21 any or all such persons whose signatures appear
3 22 thereon shall have ceased to be such officers. Each
3 23 such bond or note shall state upon its face the name
3 24 of the institution on behalf of which it is issued,
3 25 that it is payable solely and only from the net rents,
3 26 profits and income derived from the operation of
3 27 residence halls or dormitories, including dining and
3 28 other incidental facilities, at such institution as
3 29 hereinbefore provided, and that it does not constitute
3 30 a charge against the state of Iowa within the meaning
3 31 or application of any constitutional or statutory
3 32 limitation or provision. The issuance of such bonds
3 33 or notes shall be recorded in the office of the
3 34 treasurer of the institution on behalf of which the
3 35 same are issued, and a certificate by such treasurer
3 36 to this effect shall be printed on the back of each
3 37 such bond or note.

3 38 Sec. 11. Section 262A.6, Code 2005, is amended to
3 39 read as follows:

3 40 262A.6 FORM AND CONDITION OF BONDS.

3 41 Such bonds may bear such date or dates, may bear
3 42 interest at such rate or rates, payable semiannually,
3 43 may mature at such time or times, may be in such form
3 44 and denominations, may carry such registration
3 45 privileges, may be payable at such place or places,
3 46 may be subject to such terms of redemption prior to
3 47 maturity with or without premium, if so stated on the
3 48 face thereof, and may contain such terms and
3 49 covenants, including the establishment of reserves,
3 50 all as may be provided by the resolution of the board
4 1 authorizing the issuance of the bonds. In addition to
4 2 the estimated cost of construction, including site
4 3 costs, the cost of the project may include interest
4 4 upon the bonds during construction and for six months
4 5 after the estimated completion date, the compensation

4 6 of a fiscal agent or adviser, engineering,
4 7 architectural, administrative and legal expenses and
4 8 provision for contingencies. Such bonds shall be
4 9 executed by the president of the state board of
4 10 regents and attested by the ~~executive secretary~~
4 11 director, secretary or other official thereof
4 12 performing the duties of ~~secretary~~ director, and the
4 13 coupons thereto attached shall be executed with the
4 14 original or facsimile signatures of said president,
4 15 ~~executive secretary~~ director, secretary or other
4 16 official; provided, however, that the facsimile
4 17 signature of either of such officers executing such
4 18 bonds may be imprinted on the face of the bonds in
4 19 lieu of the manual signature of such officer, but at
4 20 least one of the signatures appearing on the face of
4 21 each bond shall be a manual signature. Any bonds
4 22 bearing the signatures of officers in office on the
4 23 date of the signing thereof shall be valid and binding
4 24 for all purposes, notwithstanding that before delivery
4 25 thereof any or all such persons whose signatures
4 26 appear thereon shall have ceased to be such officers.
4 27 Each such bond shall state upon its face the name of
4 28 the institution on behalf of which it is issued, that
4 29 it is payable solely and only from the student fees
4 30 and charges and institutional income received by such
4 31 institution as hereinbefore provided, and that it does
4 32 not constitute a debt of or charge against the state
4 33 of Iowa within the meaning or application of any
4 34 constitutional or statutory limitation or provision.
4 35 The issuance of such bonds shall be recorded in the
4 36 office of the treasurer of the institution on behalf
4 37 of which the same are issued, and a certificate by
4 38 such treasurer to this effect shall be printed on the
4 39 back of each such bond.

4 40 Sec. 12. Section 263A.4, Code 2005, is amended to
4 41 read as follows:

4 42 263A.4 BONDS OR NOTES PROVISIONS.

4 43 Such bonds or notes may bear such date or dates,
4 44 may bear interest at such rate or rates, payable
4 45 semiannually, may mature at such time or times, may be
4 46 in such form and denominations, carry such
4 47 registration privileges, may be payable at such place
4 48 or places, may be subject to such terms of redemption
4 49 prior to maturity with or without premium, if so
4 50 stated on the face thereof, and may contain such terms
5 1 and covenants, including the establishment of
5 2 reserves, all as may be provided by the resolution of
5 3 the board authorizing the issuance of the bonds or
5 4 notes. In addition to the estimated cost of
5 5 construction, including site costs, the cost of the
5 6 project may include interest upon the bonds or notes
5 7 during construction and for six months after the
5 8 estimated completion date, the compensation of a
5 9 fiscal agent or adviser, engineering, architectural,
5 10 administrative, and legal expenses and provision for
5 11 contingencies. Such bonds or notes shall be executed
5 12 by the president of the state board of regents and
5 13 attested by the ~~executive secretary~~ director,
5 14 secretary, or other official thereof performing the
5 15 duties of ~~secretary~~ director, and the coupons thereto
5 16 attached shall be executed with the original or
5 17 facsimile signatures of said president, ~~executive~~
5 18 ~~secretary~~ director, secretary, or other official;
5 19 provided, however, that the facsimile signature of
5 20 either of such officers executing such bonds may be
5 21 imprinted on the face of the bonds in lieu of the
5 22 manual signature of such officer, but at least one of
5 23 the signatures appearing on the face of each bond
5 24 shall be a manual signature. Any bonds or notes
5 25 bearing the signatures of officers in office on the
5 26 date of the signing thereof shall be valid and binding
5 27 for all purposes, notwithstanding that before delivery
5 28 thereof any or all such persons whose signatures
5 29 appear thereon shall have ceased to be such officers.
5 30 Each such bond or note shall state upon its face the
5 31 name of the institution on behalf of which it is
5 32 issued, that it is payable solely and only from
5 33 hospital income received by such institution as
5 34 provided in this chapter, and that it does not
5 35 constitute a debt of or charge against the state of
5 36 Iowa within the meaning or application of any

5 37 constitutional or statutory limitation or provision.
5 38 The issuance of such bonds or notes shall be recorded
5 39 in the office of the treasurer of the institution, and
5 40 a certificate by such treasurer to this effect shall
5 41 be printed on the back of each such bond or note.
5 42 Sec. 12. Section 262.29, Code 2005, is repealed.>
5 43 #2. Title page, line 1, by inserting before the
5 44 word <administrative> the following: <establishment
5 45 and>.
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5 49 _____
5 50 PETTENGILL of Benton
6 1
6 2
6 3 _____
6 4 STRUYK of Pottawattamie
6 5
6 6
6 7 _____
6 8 QUIRK of Chickasaw
6 9 SF 2358.1
6 9 jr/es/25